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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Stefan KEISER et al.

Date: July 12, 2004

Serial No.: 10/661,256

Group Art Unit: 3744

Filed: September 12, 2003

Examiner: John K. Ford

For: HEATING OR COOLING COLLECTORS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT/SUBMISSION

Sir:

Responsive to the Restriction Requirement mailed June 23, 2004, Applicant provisionally elects claims 1-17, drawn to the heat exchanger. That requirement is not traversed.

In response to the species Election Requirement, Applicant elects the species of Figure 1 (which includes Figure 2 as well). As to the species Election Requirement, it is noted that the other embodiments also show two films (in addition to showing more of the films), whereby it is submitted that the species Election Requirement should be withdrawn. As to the claims readable on the elected species, all of the elected claims recite at least two films and none specifically recites additional films, although the use of the word "comprises" would cause the claims to read on the other species as well. The Examiner's statement that claim 1 is generic is noted. Since all of the claims are directed to two (or even more) films and that is the distinguishing feature between the species as the Examiner has defined them, it is submitted that all of the elected claims 1-17 are readable on the elected species and should be examined together.

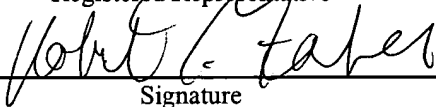
If a generic elected claim is found allowable, the claims should be examined to all other species.

It is submitted that Applicant has responded to the two restriction requirements herein.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 12, 2004:

Robert C. Faber

Name of applicant, assignee or
Registered Representative



Signature

July 12, 2004

Date of Signature

Respectfully submitted,



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